



JFW

AMENDMENT TRANSMITTALPATENT

Application No.: 10/656,491  
Filing Date: September 5, 2003  
First Named Inventor Dagmar Beyerlein  
Examiner's Name: Aamer S. Ahmed  
Art Unit: 3763  
Attorney Docket No.: 005618.P3653X

       An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.

Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.

Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.

       Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

       Preliminary Amendment

       Amendment/Response with respect to Office Action

       Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)

       Notice of Appeal

       RCE (Request for Continued Examination)

       Supplemental Declaration

       Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)

       Information Disclosure Statement (IDS) with 1449 form and cited references.

       Copies of IDS citations

       Petition for Extension of Time

Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)

       Cross-Reference to Related Application(s)

       Certified Copy of Priority Document

Other: Amendment/Response with Respect to Election Requirement (7pages)

       Other: \_\_\_\_\_

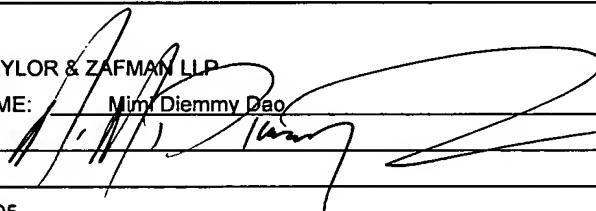
       Check(s)

Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Mimi Diemmy Dao

SIGNATURE: 

REG. NO.: 45,628

DATE: December 2, 2005

ADDRESS: 12400 Wilshire Boulevard, Seventh Floor

Los Angeles, California 90025

TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on December 2, 2005

Date of Deposit

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December 2, 2005

Signature

Date

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(10/14/03)

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**FEE TRANSMITTAL FOR FY 2005**

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**TOTAL AMOUNT OF PAYMENT (\$)** \$ \_\_\_\_\_

Complete if Known:

Application No. 10/656,491  
Filing Date September 5, 2003  
First Named Inventor Dagmar Beyerlein  
Examiner Name Aamer S. Ahmed  
Art Unit 3763  
Attorney Docket No. 005618.P3653X

\_\_\_\_\_  
Applicant claims small entity status. See 37 CFR 1.27.

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify) \_\_\_\_\_

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

Charge fee(s) indicated below except for the filing fee

Credit any overpayments.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fees Paid (\$)</u>
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)	Utility application filing fee Utility search fee Utility examination fee	1,000/500
1011	300	2011	150		
1111	500	2111	250		
1311	200	2311	100		
1012	200	2012	100	Design application filing fee	
1112	100	2112	50	Design search fee	
1312	130	2312	65	Design examination fee	
1013	200	2013	100	Plant filing fee	
1113	300	2113	150	Plant search fee	
1313	160	2313	80	Plant examination fee	
1004	300	2004	150	Reissue filing fee	
1114	500	2114	250	Reissue search fee	
1314	600	2314	300	Reissue examination fee	
1005	200	2005	100	Provisional application filing fee	

**SUBTOTAL (1)** \$ 00.00

**2. EXCESS CLAIM FEES**

<u>Extra Claims</u>				<u>Fee from below</u>	<u>Fees Paid (\$)</u>
<b>Total Claims</b>	<u>12</u>	<b>– 20 or 20 =</b>		X <u>\$50.00</u>	<u>00.00</u>
HP = highest number of total claims paid for, if greater than 20					
<b>Independent Claims</b>	<u>1</u>	<b>– 3 or 2 =</b>		X <u>\$200.00</u>	<u>00.00</u>
HP = highest number of independent claims paid for, if greater than 3					
<b>Multiple Dependent Claims</b>					<u>      =      </u>
<b>Large Entity</b>	<b>Small Entity</b>				
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)	<u>Fee Description</u>	
1202	50	2202	25	Each claim over 20	
1201	200	2201	100	Each independent claim over 3	
1203	360	2203	180	Multiple dependent claims, if not paid	
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent	
1205	50	2205	25	Reissue: each independent claim more than in the original patent	
<b>SUBTOTAL (2) \$ 00.00</b>					

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	– 100 = _____ / 50 = _____ (round up to whole number)		X <u>\$250.00</u>	_____

<b>Large Entity</b>				<b>Small Entity</b>	<u>Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets</u> (count spec & drawings except sequences & program listings):
Fee	Fee	Fee	Fee	Code	(\$)
Code	(\$)	Code	(\$)		
1081	250	2081	125	Utility	
1082	250	2082	125	Design	
1083	250	2083	125	Plant	
1084	250	2084	125	Reissue	

**SUBTOTAL (3) \$ 00.00**

**FEE CALCULATION (continued)****4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Large Entity Fee Code	Small Entity Fee Fee	Fee Description	Fees Paid (\$)
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1813 8,800	1813 8,800	Request for inter parties reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 120	2251 60	Extension for reply within first month	
1252 450	2252 225	Extension for reply within second month	
1253 1,020	2253 510	Extension for reply within third month	
1254 1,590	2254 795	Extension for reply within fourth month	
1255 2,160	2255 1,080	Extension for reply within fifth month	
1401 500	2401 250	Notice of Appeal	
1402 500	2402 250	Filing a brief in support of an appeal	
1403 1,000	2403 500	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 500	2452 250	Petition to revive – unavoidable	
1453 1,500	2453 750	Petition to revive - unintentional	
1501 1,400	2501 700	Utility issue fee (or reissue)	
1502 800	2502 400	Design issue fee	
1503 1100	2503 550	Plant issue fee	
1462 400	1462 400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463 200	1463 200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464 130	1464 130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814 130	2814 65	Statutory Disclaimer	
1810 790	2810 395	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
1504 300	1504 300	Publication fee for early, voluntary, or normal pub.	
1505 300	1505 300	Publication fee for republication	
1803 130	1803 130	Request for voluntary publication or republication	
1808 130	1808 130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454 1,370	1454 1,370	Acceptance of unintentionally delayed claim for priority	
Other fee (specify)			
Other fee (specify)			
			<b>SUBTOTAL (4) \$ 00.00</b>

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Mimi Diemmy DaoSignature: M. M. Dao

Date: December 2, 2005

Reg. Number: 45,628

Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Attorney's Docket No.: 005618.P3653X

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of:

Dagmar Beyerlein

Application No: 10/656,491

Filing Date: September 5, 2003

For: SYSTEMS AND METHODS FOR  
DETECTING TISSUE  
CONTACT AND NEEDLE  
PENETRATION DEPTH USING  
STATIC FLUID PRESSURE  
MEASUREMENTS

Examiner: Aamer S. Ahmed

Art Unit: 3763

Confirmation No.: 8370

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO ELECTION REQUIREMENT**

In response to the election requirement set forth in the Office Action dated November 2, 2005, Applicant elects to prosecute claims belonging to Invention I and Species A as set forth below.

**FIRST CLASS CERTIFICATE OF MAILING**

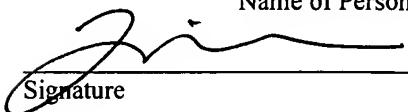
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on December 2, 2005

Date of Deposit

Trina Chau

Name of Person Mailing Correspondence

  
Signature

December 2, 2005

Date